

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JUAN LOZADA-LEONI,

Plaintiff,

VS.

**MONEYGRAM INTERNATIONAL, INC.,
and MONEYGRAM PAYMENT
SYSTEMS, INC.,
Defendants.**

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Civil Action No. 4:20-cv-68

MOTION FOR DISCOVERY DISPUTE TELEPHONE CONFERENCE

Intervenor Kardell Law Group (“KLG”), by and through its counsel, hereby files this Motion and, in support thereof, states as follows:

Intervenor Kardell Law Group (KLG) seeks a determination of the percentage of attorney fees owed to KLG out of a settlement with Defendant MoneyGram on 10-29-2020 (Dkt. 131).

Background:

1. Plaintiff's current counsel, Hutchison & Stoy, appeared for Plaintiff here in June of this year, and the case was settled in October of this year, thus constituting roughly four months of legal representation on the part of Hutchison & Stoy.
2. In contrast, Plaintiff hired KLG in July of 2017 and KLG withdrew from Plaintiff's representation in April of 2020, thus comprising approximately 2 years and nine months of extensive legal representation on this specific case.
3. KLG is attempting to settle this matter with Hutchison & Stoy, which inexplicably refuses to disclose the amount of settlement and/or the amount of attorney fees here.
4. This essentially forces KLG into a "blind bet" in the context of settlement discussions.

5. Not only does this position prevent any meaningful self-evaluation by KLG of the attorney fees claim here, it also prevents meaningful settlement discussions.

6. Both parties are also subject to a deadline of 11-27-2020, at which point KLG must present its position to this Court as to why it is entitled to a share of the attorney fees here. (Dkt. 133).

Efforts to resolve this matter:

7. For some reason, Hutchison & Stoy refuses to take phone calls from KLG, insisting on email communication.

8. The following is today's email traffic over the KLG request to Hutchison & Stoy that they voluntarily disclose the settlement amounts here, or agree to the Court's expediting this issue:

- Thursday, November 19, 2020 8:58 AM
- Thursday, November 19, 2020 9:38 AM
- Thursday, November 19, 2020 9:45 AM
- Thursday, November 19, 2020 11:01 AM
- Thursday, November 19, 2020 11:39 AM
- Thursday, November 19, 2020 11:51 AM
- Thursday, November 19, 2020 11:53 AM
- Thursday, November 19, 2020 12:02 PM

9. At every juncture here, Hutchison & Stoy refused to discuss any reasonable alternative.

KLG hereby requests that Hutchison & Stoy participate in a discovery dispute telephone conference with Judge Craven on _____ at _____.

Respectfully submitted,

/s/ Steve Kardell
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ATTORNEY FOR INTERVENOR

CERTIFICATE OF CONFERENCE

I conferred with all counsel of record on this motion, on the following dates:

Hutchison & Stoy	Objects.	11-19-2020
MoneyGram Defendants	No objection, as long as confidentiality is preserved.	11-18-2020

/s/ Steve Kardell

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been submitted, by electronic means, to all counsel of record on November 19, 2020.

/s/ Steve Kardell